

1 ISMAIL J. RAMSEY (CABN 189820)
2 United States Attorney
3 MICHELLE LO (NYRN 4325163)
4 Chief, Civil Division
5 SHINING J. HSU (CABN 317917)
6 Assistant United States Attorney
7 450 Golden Gate Avenue, Box 36055
8 San Francisco, California 94102-3495
9 Telephone: (415) 436-7022
10 Fax: (415) 436-6570
11 Email: Shining.Hsu@usdoj.gov

8 || Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

23 TO: Charles Schwab & Co., Inc.
24 Legal Services (DFW1-02-886)
3000 Schwab Way
West Lake, TX 76262

26 //

WRIT OF CONTINUING GARNISHMENT
CR 22-00168-001 WHO

1 **YOU ARE HEREBY COMMANDED TO GARNISH FOR THE BENEFIT OF THE**
2 **UNITED STATES OF AMERICA PROPERTY IN YOUR POSSESSION IN WHICH THE**
3 **DEFENDANT-JUDGMENT DEBTOR HAS A SUBSTANTIAL NONEXEMPT INTEREST.**

4 The name, last known address, and last four digits of the social security number of the person
5 who is the defendant-judgment debtor (“defendant”) in this action and whose property is subject to this
6 Writ are, as follows:

7 Miklos Daniel Brody – Reg. No. 34873-509
8 Lompoc USP – U.S. Penitentiary
9 3901 Klein Blvd.
10 Lompoc, CA 93436

11 Social Security Number (last four digits): XXX-XX-8796

12 This Writ has been issued at the request of the United States of America to enforce the collection
13 of a criminal judgment entered in favor of the United States against the defendant for a debt in the
14 original amount of \$530,566.37. As of March 26, 2024, there is a balance of \$409,835.81 due on the
15 judgment debt, comprised of \$300.00 in assessment, \$1,000.00 in fine, and \$529,266.37 in restitution
16 principal. Interest accrues on the restitution principal at the rate of 4.88%. The United States seeks to
17 recover this amount plus the statutorily authorized litigation surcharge of ten percent (10%) of the
18 unpaid restitution balance (\$40,983.58). 28 U.S.C. § 3011(a). Thus, the total amount sought by this
writ is \$450,819.39.

19 The following are the steps that you must take to comply with this Writ. If you have any
20 questions, you should consult with your attorney.

21 1. Pursuant to 28 U.S.C. § 3205(c)(2)(F), if you have in your custody, control, or possession
22 any property of the defendant in which the defendant has a substantial nonexempt interest, or if you
23 obtain custody, control, or possession of such property while this Writ is in effect, you must
24 immediately withhold such property from the defendant and retain it in your possession until you
25 receive instructions from the Court which will tell you what to do with the property.

26 2. Pursuant to 28 U.S.C. § 3205(c)(2)(E), you are required to answer this Writ within 10
27 days after service of this Writ upon you. You must answer the Writ even if you do not have in your
28 //

1 custody, control, or possession, any property of the defendant. Pursuant to 28 U.S.C. § 3205(c)(4), your
2 answer must state, under oath, the following information:

3 a. Whether or not you have in your custody, control, or possession, any property
4 owned by the defendant in which the defendant has a substantial nonexempt
5 interest;

6 b. a description of such property and the value of such property;

7 c. a description of any previous garnishments to which such property is subject and
8 the extent to which any remaining property is not exempt; and

9 d. the amount of the debt you anticipate owing to the defendant in the future and
10 whether the period for payment will be weekly or another specified period.

11 For your convenience, a form which addresses the above-requested information is attached and
12 may be used to answer the Writ.

13 3. After you complete the answer under oath, pursuant to 28 U.S.C. § 3205(c)(2)(E) and
14 (c)(4), within ten (10) days after service of this Writ upon you, you must mail or deliver the original
15 answer bearing the original signature of the person preparing the answer to the Court at the following
16 address:

17 Clerk, United States District Court
18 450 Golden Gate Ave., Box 36060
San Francisco, CA 94102

19 At the same time you mail or deliver the original answer to the Court, you must also mail or
20 deliver a copy of the original answer to both the defendant and attorney for the United States at the
21 following respective addresses:

22 Miklos Daniel Brody – Reg. No. 34873-509
23 Lompoc USP – U.S. Penitentiary
3901 Klein Blvd.
24 Lompoc, CA 93436

25 Shining J. Hsu
26 Assistant U.S. Attorney
27 450 Golden Gate Avenue, 9th Floor
P.O. Box 36055
28 San Francisco, CA 94102

1 Please note that the attached answer form contains a **certificate of service** which needs to be
2 completed by the person mailing the copies of the answer to the defendant and the attorney for the
3 United States, and which needs to be filed with the Court along with the answer.

4 **IF YOU FAIL TO ANSWER THIS WRIT OR FAIL TO WITHHOLD PROPERTY IN**
5 **ACCORDANCE WITH THIS WRIT, THE UNITED STATES MAY PETITION THE COURT**
6 **FOR AN ORDER REQUIRING YOU TO APPEAR BEFORE THE COURT TO ANSWER THE**
7 **WRIT AND TO WITHHOLD PROPERTY IN ACCORDANCE WITH THE WRIT BEFORE**
8 **THE APPEARANCE DATE. IF YOU FAIL TO APPEAR OR DO APPEAR AND FAIL TO**
9 **SHOW GOOD CAUSE WHY YOU FAILED TO COMPLY WITH THIS WRIT, THE COURT**
10 **WILL ENTER A JUDGMENT AGAINST YOU FOR THE VALUE OF THE DEFENDANT'S**
11 **NONEXEMPT INTEREST IN SUCH PROPERTY (INCLUDING NONEXEMPT DISPOSABLE**
12 **EARNINGS). THE COURT MAY ALSO AWARD A REASONABLE ATTORNEY'S FEE TO**
13 **THE UNITED STATES AND AGAINST YOU IF THE WRIT IS NOT ANSWERED WITHIN**
14 **THE TIME SPECIFIED HEREIN AND IF THE UNITED STATES FILES A PETITION**
15 **REQUIRING YOU TO APPEAR.**

16 MARK B. BUSBY,
17 Clerk of Court
18 United States District Court
19 for the Northern District of California

20 Dated: 04/15/2024 By: Esmeralda Lopez
21 Deputy Clerk